

In re:
Marvin W. Birk
Beverly D. Birk
Debtors

Case No. 23-11289-pmm
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0313-4
Date Rcvd: Mar 14, 2024

User: admin
Form ID: pdf900

Page 1 of 2
Total Noticed: 4

The following symbols are used throughout this certificate:

Symbol	Definition
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+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
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Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 16, 2024:

Recip ID	Recipient Name and Address
db/jdb	+ Marvin W. Birk, Beverly D. Birk, 1441 Cloverton Drive, Columbia, PA 17512-9446

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
smg	+ Email/Text: taxclaim@countyofberks.com	Mar 15 2024 00:12:00	Tax Claim Bureau, 633 Court Street, Second Floor, Reading, PA 19601-4300
smg	+ Email/Text: usapae.bankruptcynotices@usdoj.gov	Mar 15 2024 00:13:00	U.S. Attorney Office, c/o Virginia Powel, Esq., Room 1250, 615 Chestnut Street, Philadelphia, PA 19106-4404
cr	Email/Text: BankruptcyECFMail@mccalla.com	Mar 15 2024 00:13:00	U.S. Bank National Association, not in its individ, c/o MCCALLA RAYMER LEIBERT PIERCE, LLC, Bankruptcy Department, 1544 Old Alabama Rd, Roswell, GA 30076

TOTAL: 3

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 16, 2024

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 14, 2024 at the address(es) listed below:

Name	Email Address
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District/off: 0313-4

User: admin

Page 2 of 2

Date Rcvd: Mar 14, 2024

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LAUREN MOYER

on behalf of Creditor Rushmore Loan Management Services LLC as Servicer for U.S. Bank National Association not in its individual capacity but solely as Legal Title Trustee for RMTP Trust, Series 2021 BKM-TT-V bkecf@friedmanvartolo.com

MICHAEL PATRICK FARRINGTON

on behalf of Creditor U.S. Bank National Association not in its individual capacity, but solely as Trustee for RMTP Trust, Series 2021 Cottage-TT-V mfarrington@knllawgroup.com

SCOTT F. WATERMAN [Chapter 13]

ECFMail@ReadingCh13.com

THOMAS W. FLECKENSTEIN

on behalf of Debtor Marvin W. Birk Tom@TomFleckenstein.com

THOMAS W. FLECKENSTEIN

on behalf of Joint Debtor Beverly D. Birk Tom@TomFleckenstein.com

United States Trustee

USTPRegion03.PH.ECF@usdoj.gov

TOTAL: 6

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: Beverly D. Birk
Marvin W. Birk

Debtor(s)

Chapter 13

U.S. Bank National Association, not in its
individual capacity, but solely as Trustee for
RMTP Trust, Series 2021 Cottage-TT-V
Movant

NO. 23-11289 PMM

v.

Beverly D. Birk
Marvin W. Birk

Debtor(s)

11 U.S.C. Section 362

Scott F. Waterman

Trustee

ORDER

AND NOW, this **14th** day of **March**, 2024 upon the filing of a Certification of Default by the Moving Party in accordance with the Stipulation of the parties approved on November 29, 2023, it is ORDERED AND DECREED that:

The Automatic Stay of all proceedings, as provided under Section 362 of the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 (The Code), 11 U.S.C. Section 362 and the Co-Debtor Stay under Section 1301 of the Bankruptcy Code (if applicable), is modified with respect to the subject premises located at 1441 Cloverton Drive, Columbia, PA 17512 ("Property"), so as to allow Movant, and its successors or assignees, to proceed with its rights and remedies under the terms of the subject Mortgage and pursue its in rem State Court remedies including, but not limited to, taking the Property to Sheriff's Sale, in addition to potentially pursuing other loss mitigation alternatives including, but not limited to, a loan modification, short sale or deed-in-lieu of foreclosure. Additionally, any purchaser of the Property at Sheriff's Sale (or purchaser's assignee) may take any legal action for enforcement of its right to possession of the Property.



Hon. Patricia M. Mayer
United States Bankruptcy Judge.